

**EXHIBIT 8**  
**TO**  
**EXHIBIT 4**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PHILLIP NELSON BURNS, MIRJANA  
PAVKOVICH, Administrator of the Estate of  
Rade Pavkovich, Deceased, and Warren  
Elmer Halpap,

Plaintiffs,

-against-

GRUPO MÉXICO, S.A. de C.V., a Mexican  
Corporation,

Defendant.

Case No. 1:07-CV-3496(WHP)

**RESPONSES AND OBJECTIONS TO ASARCO LLC'S REQUEST FOR PRODUCTION  
OF DOCUMENTS TO GRUPO MEXICO, S.A. DE C.V. RELATING TO  
PERSONAL JURISDICTION AND SERVICE**

Pursuant to Federal Rules of Civil Procedure 26 and 34, defendant Grupo Mexico, S.A. de C.V. ("Grupo Mexico"), by its undersigned attorneys, hereby responds and objects (the "Responses and Objections") to plaintiff ASARCO LLC's Request for Production of Documents to Grupo Mexico, S.A. de C.V. Relating to Personal Jurisdiction and Service, dated June 21, 2007 (the "Requests").

**GENERAL RESPONSES AND OBJECTIONS**

1. Grupo Mexico objects to ASARCO LLC ("ASARCO") serving document requests in an action to which ASARCO is not and never has been a party. Despite ASARCO's claim to be the real-party-in-interest in this case, it has not been substituted as a plaintiff. Rule 34 of the Federal Rules of Civil Procedure only authorizes parties to serve document requests. *See* FED. R. CIV. P. 34(a) ("any **party** may serve upon any other party a written request ...")

(emphasis added). Because ASARCO is not a party to this action it cannot serve document requests on Grupo Mexico pursuant to the Federal Rules.

2. By submitting these Responses and Objections Grupo Mexico does not waive, and specifically reserves, its objection and challenge to this Court's exercise of jurisdiction over Grupo Mexico.

3. Grupo Mexico objects to the Requests, including any definition or instruction therein, to the extent they seek to impose obligations on Grupo Mexico beyond those set forth in the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the Southern District of New York, or any other applicable rule or law.

4. Grupo Mexico objects to the Requests to the extent they are overly broad, unduly burdensome, vague and ambiguous, or duplicative, would require Grupo Mexico to speculate as to the nature and/or scope of the documents sought thereby, and seek documents and information that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

5. Grupo Mexico objects to each Instruction, Definition, and Request to the extent it calls for production of documents already in ASARCO's possession, custody or control.

6. Grupo Mexico objects to each Instruction, Definition, and Request to the extent they seek documents already produced to ASARCO LLC ("ASARCO") in *ASARCO LLC v. American Mining Corp.*, Civil Action No. 1:07-cv-00018 (S.D. Tex.) (the "AMC Action").

7. Grupo Mexico objects to the Requests to the extent they purport to require Grupo Mexico to seek information in the custody, possession, or control of persons or entities other than Grupo Mexico.

8. Grupo Mexico objects to the Requests to the extent that they seek production of any document or portion thereof, or other information, subject to any privilege or protection, including the attorney-client privilege, the attorney work product doctrine, and the Mexican Professional Secrets Doctrine. Inadvertent production of any such document is not intended to be, and shall not operate as, a waiver of the applicable privilege, in whole or in part. In the event Grupo Mexico inadvertently produces privileged information, Grupo Mexico is entitled to request that ASARCO return any inadvertently produced materials.

9. Grupo Mexico objects to the Requests to the extent that they seek confidential or proprietary information. Any responsive, non-privileged documents will be produced only subject to treatment under a stipulated protective order, as agreed to by the parties and entered by the Court. To the extent that the stipulated protective order is not agreed to or entered by the date of Grupo Mexico's first production of documents, any materials produced prior to entry of the protective order will be governed by the terms of the protective order as eventually entered.

10. Grupo Mexico objects to the Requests to the extent they require Grupo Mexico to assume an unreasonable burden or expense. Grupo Mexico will limit its responses to information that can be furnished without undue burden or unreasonable expense.

11. Grupo Mexico objects to the definition of "communication" to the extent that it is broader than the definition incorporated by the Local Rules. Grupo Mexico will furnish responses to the Requests pursuant to the definition in the Local Rules.

12. Grupo Mexico objects to the definition of "concerning" to the extent that it is broader than the definition incorporated by the Local Rules. Grupo Mexico will furnish responses to the Requests pursuant to the definition in the Local Rules.

13. Grupo Mexico objects to the definition of "document" to the extent that it is broader than the definition incorporated by the Local Rules. Grupo Mexico will furnish responses to the Requests pursuant to the definition in the Local Rules.

14. Grupo Mexico objects to the definition of "Americas Mining Corporation" to the extent that it includes Americas Mining Corporation's subsidiaries and affiliates, and/or agents, officers, managers and employees that were outside Americas Mining Corporation's control or may have been acting on behalf of entities other than Americas Mining Corporation. Subject to the General Responses and Objections and the Specific Responses and Objections contained herein, Grupo Mexico defines "Americas Mining Corporation" as Americas Mining Corporation, its predecessors and successors, and any agents, officers, managers and employees acting on its behalf at its direction.

15. Grupo Mexico objects to the definition of "ASARCO" to the extent that it includes subsidiaries and affiliates.

16. Grupo Mexico objects to the definition of "Grupo Mexico", "you" and "your" to the extent that it includes Grupo Mexico's representatives (including law firms).

17. Grupo Mexico objects to the definition of "SPCC" to the extent that it includes Southern Peru Copper Corporation's subsidiaries and affiliates, and/or agents, officers, managers and employees that were outside Southern Peru Copper Corporation's control or may have been acting on behalf of entities other than Southern Peru Copper Corporation. Subject to the General Responses and Objections and the Specific Responses and Objections contained herein, Grupo Mexico defines "Southern Peru Copper Corporation" as Southern Peru Copper Corporation, its predecessors and successors, and any agents, officers, managers and employees acting on its behalf at its direction.

18. These General Responses and Objections are based on the best information currently available to Grupo Mexico. Grupo Mexico expressly reserves the right to amend, supplement, or correct its responses, if and when it has or discovers other or additional information. Grupo Mexico further reserves the right to object to an Request or part thereof after a response or partial response has been provided.

19. Grupo Mexico reserves all objections, in this or any other proceeding, with respect to the relevance, materiality, and/or admissibility of all information provided pursuant to the Requests. These General Responses and Objections are made without waiver of, or prejudice to, any objection or right. To the extent Grupo Mexico responds to any Request to which an objection has been made, such response is without waiver of the objection. The foregoing General Responses and Objections shall be and are incorporated into each of the Specific Responses and Objections set forth below.

#### **SPECIFIC RESPONSES AND OBJECTIONS**

##### **REQUEST NUMBER 1:**

All petitions, complaints, pleadings, or other judicial documents served on Grupo Mexico, or otherwise actually received, whether directly or indirectly, relating to *Burns et al. v. Grupo Mexico S.A. de C. V. et al.*, Index No. 0114728/2004.

##### **RESPONSE TO REQUEST NUMBER 1:**

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

##### **REQUEST NUMBER 2:**

All correspondence, memoranda, notes, email, and other documents relating to *Burns et al. v. Grupo Mexico S.A. de C. V. et al.*, Index No. 0114728/2004.

RESPONSE TO REQUEST NUMBER 2:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 3:

All summons, petitions, complaints, pleadings, or other judicial documents served on Grupo Mexico relating to *Burns et al. vs. Grupo Mexico S.A. de C.V. et al.*, Index No. 0114728/2004 (N.Y. Sup. Ct).

RESPONSE TO REQUEST NUMBER 3:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 4:

All correspondence, memoranda, notes, email, and other documents relating to any actual or attempted service of process on Grupo Mexico in *Burns et al. vs. Grupo Mexico S.A. de C. V. et al.*, Index No. 0114728/2004, Index No. 0114728/2004 (N.Y. Sup. Ct.).

RESPONSE TO REQUEST NUMBER 4:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 5:

Documents sufficient to show that Grupo Mexico maintained an office at Avenida Baja California, Number 200, Colonia Roma Sur, 06760, Mexico City, Mexico on July 1, 2005.

RESPONSE TO REQUEST NUMBER 5:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 6:

Documents relating to Grupo Mexico's employment of Daniel Estrada Martens Estrada, including but not limited to (a) documents relating to Daniel Estrada Martens Estrada's employment status and job responsibilities from 1997 to present, and particularly on July 1, (b) documents relating to the position(s) held by Daniel Estrada Martens Estrada with Grupo Mexico on July 1, 2005.

RESPONSE TO REQUEST NUMBER 6:

Subject to the foregoing General Responses and Objections, there are no documents responsive to this Request.

REQUEST NUMBER 7:

Documents relating to all business, transactions, negotiations, or other activities conducted by, on behalf of, under the guidance, direction, or control of, or with the authority of Grupo Mexico in the United States, directly or indirectly, including but not limited to (a) documents sufficient to identify each instance of responsive business, transactions, negotiations, or other activities and (b) all communications related to any responsive business, transactions, negotiations, or other activities.

RESPONSE TO REQUEST NUMBER 7:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, involving business it conducted in the United States related to its acquisition of ASARCO or the SPCC share transaction.



REQUEST NUMBER 8:

Documents relating to all sales or purchases directly or indirectly made by, on behalf of, under the guidance, direction, or control of, or with the authority of Grupo Mexico in the United States or to or from United States Residents, including but not limited to (a) documents sufficient to identify each instance of responsive sales or purchases and (b) all communications related to any responsive sales or purchases.

RESPONSE TO REQUEST NUMBER 8:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 9:

Documents relating to all business directly or indirectly solicited or negotiated by Grupo Mexico in the United States or from United States Residents, including but not limited to documents sufficient to identify each instance of responsive solicitations or negotiations and all communications related to any responsive solicitations or negotiations.

RESPONSE TO REQUEST NUMBER 9:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, involving business it conducted in the United States related to its acquisition of ASARCO or the SPCC share transaction.

REQUEST NUMBER 10:

All documents constituting or relating to contracts and agreements to which Grupo Mexico is a party or successor-in-interest that were executed or signed in the United States, negotiated in whole or in part in the United States, call for performance in the United States, or include a provision specifying the application of the law of the United States, choice of venue within the United States, or dispute resolution within the United States.

RESPONSE TO REQUEST NUMBER 10:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all contracts it executed in the United States related to its acquisition of ASARCO or the SPCC share transaction.

REQUEST NUMBER 11:

All documents constituting or relating to contracts and agreements entered into on behalf of or with the authority of Grupo Mexico that were executed or signed in the United States, negotiated in whole or in part in the United States, call for performance in the United States, or include a provision specifying the application of the law of the United States, choice of venue within the United States, or dispute resolution within the United States.

RESPONSE TO REQUEST NUMBER 11:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all contracts it executed in the United States related to its acquisition of ASARCO or the SPCC share transaction.

REQUEST NUMBER 12:

All documents constituting or relating to contracts and agreements to which Grupo Mexico is a party or successor-in-interest that involve United States Residents, directly or indirectly.

RESPONSE TO REQUEST NUMBER 12:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing

General Responses and Objections, Grupo Mexico will produce all contracts it executed involving United States parties related to its acquisition of ASARCO or the SPCC share transaction. .

REQUEST NUMBER 13:

All documents constituting or relating to contracts and agreements entered into on behalf of or with the authority of Grupo Mexico that involve United States Residents, directly or indirectly.

RESPONSE TO REQUEST NUMBER 13:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all contracts it executed involving United States parties related to its acquisition of ASARCO or the SPCC share transaction.

REQUEST NUMBER 14:

Documents relating to all financial transactions conducted by or financial advice given to Grupo Mexico with or by United States financial institutions, directly or indirectly, including but not limited to (a) documents sufficient to identify each instance of responsive financial transactions or advice and (b) all communications related to any responsive financial transactions or advice.

RESPONSE TO REQUEST NUMBER 14:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 15:

Documents relating to all meetings held by or attended by Grupo Mexico in the United States, including but not limited to (a) documents sufficient to identify each instance of

responsive meetings, (b) all communications related to any responsive meetings, (c) all shareholder or board of directors meetings of Grupo Mexico or any affiliate or other entity, and (d) all meetings relating to Grupo Mexico's acquisition of ASARCO. Responsive documents include, but are not limited to, documents that show:

- a. the dates of the meetings;
- b. the locations of the meetings;
- c. who attended the meetings;
- d. the purposes of the meetings; and
- e. topics discussed at the meetings.

RESPONSE TO REQUEST NUMBER 15:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, relating to meetings in the United States attended by Grupo Mexico concerning its acquisition of ASARCO.

REQUEST NUMBER 16:

All communications by Grupo Mexico with any of its officers or directors while they were in the United States.

RESPONSE TO REQUEST NUMBER 16:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 17:

Documents relating to all meetings held by or attended by Grupo Mexico with United States financial institutions, whether the meetings took place within or outside of the United States, including but not limited to (a) documents sufficient to identify each instance of responsive meetings and (b) all communications related to any responsive meetings. Responsive documents include, but are not limited to, documents that show:

- a. the dates of the meetings;
- b. the locations of the meetings;
- c. who attended the meetings;
- d. the purposes of the meetings; and
- e. the topics discussed at the meetings.

RESPONSE TO REQUEST NUMBER 17:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 18:

All documents constituting or relating to presentations made by or received by Grupo Mexico in the United States.

RESPONSE TO REQUEST NUMBER 18:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 19:

All documents constituting or relating to presentations made by Grupo Mexico to United States financial institutions or United States Residents, whether the presentations were given within or outside of the United States.

RESPONSE TO REQUEST NUMBER 19:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 20:

All presentations made by United States financial institutions or United States Residents to Grupo Mexico, whether the presentations were given within or outside of the United States.

RESPONSE TO REQUEST NUMBER 20:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 21:

Documents relating to all trips made by Grupo Mexico's directors, officers, or employees to the United States relating in any way to Grupo Mexico business, including but not limited to (a) documents sufficient to identify each instance of responsive trips, (b) all communications related to any responsive trips, (c) documents sufficient to show all trips relating to management reviews of direct or indirect United States subsidiaries or affiliates, or meetings concerning Grupo Mexico securities, ASARCO, Americas Mining Corporation, or SPCC, (d) documents relating to trips made to the United States in connection with Grupo Mexico's acquisition of ASARCO in 1999, or (e) documents relating to trips made to the United States relating to the consideration of a possible transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation or anyone else or the actual transfer that in fact occurred to American Mining Corporation. Responsive documents include, but are not limited to, documents that show:

- a. the dates of the trips;
- b. who took the trips;
- c. the states, cities, and offices that the individuals visited;
- d. the purposes of the trips; and
- e. the business conducted on the trips.

RESPONSE TO REQUEST NUMBER 21:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, relating to trips to the United States by Grupo Mexico personnel on Grupo Mexico's behalf relating to its acquisition of ASARCO or the SPCC share transfer.

REQUEST NUMBER 22:

All documents relating to the control asserted by Grupo Mexico over its direct or indirect United States subsidiaries or affiliates, including but not limited to (a) documents showing Grupo Mexico's involvement with the appointment of directors and officers of the subsidiaries or affiliates, (b) documents showing Grupo Mexico's involvement with the approval of bonuses for the directors and officers of the subsidiaries or affiliates, (c) documents showing Grupo Mexico's involvement with management reviews of the directors and officers of the subsidiaries, and (d) documents showing Grupo Mexico's involvement with the approval of capital expenditures made by the subsidiaries or affiliates.

RESPONSE TO REQUEST NUMBER 22:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 23:

Organizational charts listing Grupo Mexico's directors and officers at any time between 1997 and the present.

RESPONSE TO REQUEST NUMBER 23:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 24:

Organizational charts listing the directors and officers of Grupo Mexico's direct or indirect United States subsidiaries and affiliates at any time between 1997 and the present.

RESPONSE TO REQUEST NUMBER 24:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 25:

Documents relating to all inter-company debits and credits between Grupo Mexico and its direct or indirect United States subsidiaries or affiliates, including but not limited to Americas Mining Corporation and ASARCO. Responsive documents include but are not limited to (a) documents sufficient to identify each instance of responsive debits and credits and (b) all communications related to any responsive debits and credits.

RESPONSE TO REQUEST NUMBER 25:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 26:

Documents relating to all guarantees, sureties, and indemnities made by Grupo Mexico on behalf of its direct or indirect United States subsidiaries or affiliates, including but not limited to Americas Mining Corporation and ASARCO. Responsive documents include but are not limited to (a) documents sufficient to identify each instance of responsive guarantees, sureties, and indemnities and (b) all communications related to any responsive guarantees, sureties, and indemnities.

RESPONSE TO REQUEST NUMBER 26:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 27:

Documents relating to all offices, facilities, equipment, products, inventory, mailing addresses, and telephone numbers maintained, owned, leased, or used by Grupo Mexico in the United States. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive offices, facilities, equipment, products, inventory, mailing addresses, and telephone numbers and (b) all communications related to any responsive offices, facilities, equipment, products, inventory, mailing addresses, and telephone numbers.

RESPONSE TO REQUEST NUMBER 27:

Subject to the foregoing General Responses and Objections, there are no documents



responsive to this Request.

REQUEST NUMBER 28:

Documents relating to the activities in or directed toward business in the United States of all agents, employees, and representatives of Grupo Mexico concerning matters germane to the United States. Responsive documents include but are not limited to documents sufficient to identify all responsive agents, employees, and representatives and all relevant communications related to any responsive agents, employees, and representatives.

RESPONSE TO REQUEST NUMBER 28:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 29:

Documents relating to all real or personal property maintained, owned, leased, or used in the United States owned or leased by Grupo Mexico (including its directors, officers, or managing agents). Responsive documents include but are not limited to (a) documents sufficient to identify all responsive real or personal property and (b) all communications related to any responsive real or personal property.

RESPONSE TO REQUEST NUMBER 29:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Grupo Mexico further objects to this Request on the ground it seeks documents concerning real or personal property owned or leased by its directors, officers or managing agents. Subject to these Specific Objections and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, sufficient to identify any real or personal property in the United States owned or leased by Grupo Mexico.

REQUEST NUMBER 30:

All tax returns filed in the United States by, on behalf of, under the guidance, direction, or control of, or with the authority of Grupo Mexico.

RESPONSE TO REQUEST NUMBER 30:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Grupo Mexico further objects to this Request to the extent it seeks tax returns other than those of Grupo Mexico. Subject to these Specific Objections and the foregoing General Responses and Objections, there are no documents responsive to this Request.

REQUEST NUMBER 31:

Documents relating to all tax assessments, regulatory assessments, judgments, fees, or penalties against Grupo Mexico by federal, state, county, municipal, or other governmental units or regulatory agencies in the United States. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive tax assessments, regulatory assessments, judgments, fees, or penalties and (b) all communications related to any responsive tax assessments, regulatory assessments, judgments, fees, or penalties.

RESPONSE TO REQUEST NUMBER 31:

Subject to the foregoing General Responses and Objections, there are no documents responsive to this Request.

REQUEST NUMBER 32:

All documents filed by, on behalf of, under the guidance, direction, or control of, or with the authority of Grupo Mexico, or with contributions by Grupo Mexico, with the United States Securities and Exchange Commission.

RESPONSE TO REQUEST NUMBER 32:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to

the discovery of admissible evidence.

REQUEST NUMBER 33:

Documents relating to all accounts held by Grupo Mexico with financial institutions in the United States, including but not limited to all bank accounts held by Grupo Mexico in the United States. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive accounts and (b) all communications related to any responsive accounts.

RESPONSE TO REQUEST NUMBER 33:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to this Specific Objections and the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, sufficient to identify all bank accounts held by Grupo Mexico in the United States.

REQUEST NUMBER 34:

All documents relating to Grupo Mexico's engagements of United States law firms, accounting firms, consulting firms, or other professional firms. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive engagements, (b) all communications related to any responsive engagements, and (c) any responsive engagement letters.

RESPONSE TO REQUEST NUMBER 34:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 35:

Documents sufficient to show all agents designated by Grupo Mexico for service of process in the United States, from 1997 to present.

RESPONSE TO REQUEST NUMBER 35:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 36:

All documents relating to licenses or requesting permits or clearance of any kind sought or owned by Grupo Mexico relating to the United States, including but not limited to all licenses to permit Grupo Mexico to conduct business in the United States. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive licenses or permits, (b) all communications related to any responsive licenses or permits, and (c) any responsive licenses or permits.

RESPONSE TO REQUEST NUMBER 36:

Subject to the foregoing General Responses and Objections, there are no documents responsive to this Request.

REQUEST NUMBER 37:

All documents relating to United States patents, trademarks, and copyrights applied for or owned, in whole or in part, by Grupo Mexico. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive patents, trademarks, and copyrights, (b) all communications related to any responsive patents, trademarks, and copyrights, and (c) any responsive patents, trademarks, and copyrights.

RESPONSE TO REQUEST NUMBER 37:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 38:

All documents relating to insurance policies owned by Grupo Mexico or under which Grupo Mexico is a beneficiary or has a beneficial interest issued by a United States insurance company or covering property within the United States or issued by any insurance company controlled by a United States insurance company. Responsive documents include but are not

limited to (a) documents sufficient to identify all responsive insurance policies and (b) all communications related to any responsive insurance policies.

RESPONSE TO REQUEST NUMBER 38:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 39:

All documents relating to press releases provided by, on behalf of, under the guidance, direction, or control of, or with the authority or including the participation of Grupo Mexico to United States media outlets. Responsive documents include but are not limited to documents constituting or otherwise sufficient to identify all responsive press releases and all communications related to any responsive press releases.

RESPONSE TO REQUEST NUMBER 39:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 40:

All documents relating to Grupo Mexico's efforts or efforts on its behalf to market its own debt, equity or other securities in the United States.

RESPONSE TO REQUEST NUMBER 40:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 41:

All documents relating to Grupo Mexico's efforts or efforts on its behalf to market SPCC's debt, equity, or other securities in the United States.

RESPONSE TO REQUEST NUMBER 41:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 42:

All documents relating to Grupo Mexico's efforts or efforts on its behalf to market the debt, equity, or other securities of any of its direct or indirect United States subsidiaries or affiliates in the United States.

RESPONSE TO REQUEST NUMBER 42:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 43:

Documents sufficient to show all direct or indirect sales by Grupo Mexico of its own securities in the United States.

RESPONSE TO REQUEST NUMBER 43:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 44:

All documents reflecting Grupo Mexico representing itself as a United States or North American company.

RESPONSE TO REQUEST NUMBER 44:

Grupo Mexico objects to this Request on grounds that the phrase "representing itself as a United States or North American company" is vague and ambiguous. Subject to this Specific

Objection and the foregoing General Responses and Objections, Grupo Mexico will produce all documents in its possession, custody or control, if any, in which it represented itself publicly as a United States company.

REQUEST NUMBER 45:

All documents in which Grupo Mexico or someone on its behalf advertised or marketed its products or services in the United States.

RESPONSE TO REQUEST NUMBER 45:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all responsive, non-privileged documents in its possession, custody or control, if any, responsive to this Request.

REQUEST NUMBER 46:

Documents sufficient to show all lawsuits filed in the United States in which Grupo Mexico is or has been a defendant or a plaintiff.

RESPONSE TO REQUEST NUMBER 46:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Grupo Mexico further objects to this Request on the ground it seeks documents that are publicly available.

REQUEST NUMBER 47:

Documents sufficient to show all lawsuits in which a United States court has, at any time, found Grupo Mexico subject to personal jurisdiction in the United States.

RESPONSE TO REQUEST NUMBER 47:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to

the discovery of admissible evidence. Grupo Mexico further objects to this Request on the ground it seeks documents that are publicly available.

REQUEST NUMBER 48:

Documents sufficient to show all lawsuits in which a United States court has, at any time, exercised jurisdiction over Grupo Mexico.

RESPONSE TO REQUEST NUMBER 48:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Grupo Mexico further objects to this Request on the ground it seeks documents that are publicly available.

REQUEST NUMBER 49:

All documents reflecting or identifying consent by Grupo Mexico to the jurisdiction of a court or other tribunal in the United States.

RESPONSE TO REQUEST NUMBER 49:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 50:

All documents produced by Grupo Mexico at any time in response to jurisdictional discovery requests made in suits in courts located in the United States, including but not limited to documents produced in *Seaboard Surety Company v. Grupo Mexico, S.A. de C. V.*, 2:06-cv-00134-SMM (D. Ariz).

RESPONSE TO REQUEST NUMBER 50:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.



REQUEST NUMBER 51:

All transcripts of depositions at any time relating to whether Grupo Mexico is subject to personal jurisdiction in the United States, including but not limited to depositions taken in *Seaboard Surety Company v. Grupo Mexico, S.A. de C.V.*, 2:06-cv-00134-SMM (D. Ariz).

RESPONSE TO REQUEST NUMBER 51:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 52:

All documents relating to any activity by or on behalf of Grupo Mexico concerning Grupo Mexico's acquisition of ASARCO in 1999.

RESPONSE TO REQUEST NUMBER 52:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 53:

All documents relating to any due diligence conducted by Grupo Mexico concerning Grupo Mexico's acquisition of ASARCO in 1999.

RESPONSE TO REQUEST NUMBER 53:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 54:

All internal correspondence, memoranda, notes, email, and other documents relating to Grupo Mexico's acquisition of ASARCO in 1999.

RESPONSE TO REQUEST NUMBER 54:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 55:

All documents relating to any activity by or on behalf of Grupo Mexico concerning the transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 55:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 56:

All documents relating to any due diligence or other actions conducted or taken by Grupo Mexico concerning the transfer or consideration of a possible transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 56:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 57:

All internal correspondence, memoranda, notes, email, and other documents relating to the transfer or consideration of a possible transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 57:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 58:

Documents relating to all meetings held by or attended by Grupo Mexico relating to the transfer or consideration of a possible transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation. Responsive documents include but are not limited to (a) documents sufficient to identify all responsive meetings and (b) all communications related to any responsive meetings. Responsive documents include, but are not limited to, documents that show:

- a. the dates of the meetings;
- b. the locations of the meetings;
- c. who attended the meetings;
- d. the purposes of the meetings; and
- e. the topics discussed at the meetings.

RESPONSE TO REQUEST NUMBER 58:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 59:

All documents and communications involving Grupo Mexico relating to:

- a. Any formal or informal valuation or consideration of value of ASARCO's stock interest in SPCC or SPCC.
- b. Acquisition or transfer of, other plans for, or disposition of ASARCO's stock interest in SPCC;
- c. Any formal or informal consideration of ASARCO's ability to continue as a going concern; and
- d. Any formal or informal consideration of the solvency of ASARCO.

RESPONSE TO REQUEST NUMBER 59:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 60:

All documents and communications created by or provided to Grupo Mexico relating to the projected financial impact on ASARCO of a sale or transfer of its stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 60:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 61:

All documents and communications created by or provided to Grupo Mexico relating to the financial structure of a sale or transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 61:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 62:

All documents constituting or relating to communications between Grupo Mexico and Inbursa relating to a sale or transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 62:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 63:

All documents constituting or relating to communications with the United States Department of Justice created by or provided to Grupo Mexico and relating to the sale or transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 63:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 64:

All documents constituting or relating to communications created by or provided to Grupo Mexico and relating to a settlement of the lawsuit brought by the United States Department of Justice to enjoin the sale or transfer of ASARCO's stock interest in SPCC.

RESPONSE TO REQUEST NUMBER 64:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 65:

All documents and communications created by or provided to Grupo Mexico relating to the possible or actual payment of the Yankee Bonds.

RESPONSE TO REQUEST NUMBER 65:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 66:

All documents and communications created by or provided to Grupo Mexico relating to the ASARCO restructuring committee, Jock Patton, or Al Frei.

RESPONSE TO REQUEST NUMBER 66:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 67:

All documents and communications created by or provided to Grupo Mexico relating to any statute of limitations for a fraudulent transfer claim that might be brought in connection with the transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 67:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 68:

All documents and communications created by or provided to Grupo Mexico relating to any attempts or actions to prevent the avoidance by fraudulent transfer claimants of the transfer of ASARCO's stock interest in SPCC to Americas Mining Corporation.

RESPONSE TO REQUEST NUMBER 68:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 69:

All documents and communications created by or provided to Grupo Mexico relating to Grupo Mexico's involvement with the decision for ASARCO to file for bankruptcy.

RESPONSE TO REQUEST NUMBER 69:

Grupo Mexico objects to this Request on the ground it seeks documents that are subject to the attorney-client and/or work product privileges. Grupo Mexico further objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 70:

All documents relating to efforts by Grupo Mexico, directly or indirectly through American Mining Corporation or any other entity, to acquire shares in SPCC.

RESPONSE TO REQUEST NUMBER 70:

Grupo Mexico objects to this Request on the grounds that it is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NUMBER 71:

All electronically stored information, as that term is defined in the Federal Rules of Civil Procedure, relating to the documents requested in Requests 1-70.

RESPONSE TO REQUEST NUMBER 71:

Subject to the foregoing General Responses and Objections, Grupo Mexico will produce all responsive, non-privileged documents in its possession, custody or control, if any, responsive to this Request.



Dated: June 29, 2007

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